

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                                    |   |                     |
|------------------------------------|---|---------------------|
| JOHN HENRY GIVENS,                 | ) |                     |
| AIS # 182504,                      | ) |                     |
|                                    | ) |                     |
| Petitioner,                        | ) |                     |
|                                    | ) |                     |
| v.                                 | ) | CASE No.            |
|                                    | ) | 2:21-CV-611-RAH-KFP |
| JOSEPH H. HEADLEY, <i>et al.</i> , | ) |                     |
|                                    | ) |                     |
| Respondents.                       | ) |                     |

**ORDER**

On September 20, 2021, the Magistrate Judge filed a Recommendation to dismiss the Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 for lack of jurisdiction. (Doc. 3.) On October 18, 2021, the Petitioner filed his Objections to the Recommendation. (Doc. 6.)

After an independent review of the record and upon consideration of the Magistrate Judge's Recommendation and the objections thereto, it is

ORDERED as follows:

- (1) The Objections (Doc. 6) are OVERRULED;
- (2) The Recommendation of the Magistrate Judge (Doc. 3) is ADOPTED; and
- (3) The Petition is DISMISSED for lack of jurisdiction.

DONE, on this the 19th day of October, 2021.

/s/ R. Austin Huffaker, Jr.  
R. AUSTIN HUFFAKER, JR.  
UNITED STATES DISTRICT JUDGE